



Implemented by



Integrated Approach to Enhance Livelihood and Ecological Resilience of Hurri Hills and Shurr Landscapes in Marsabit County

Terms of Reference for Development of Natural Resource Management/Environmental Bill for Marsabit County

1. Introduction

The International Union for Conservation of Nature (IUCN), is a membership Union uniquely composed of both government and civil society organizations. It provides public, private and non-governmental organizations with the knowledge and tools that enable human progress, economic development and nature conservation to take place together. Created in 1948, IUCN is now the world's largest and most diverse environmental network, harnessing the knowledge, resources and reach of more than 1,300 Member organizations and some 16,000 experts. It is a leading provider of conservation data, assessments and analysis. Its broad membership enables IUCN to fill the role of incubator and trusted repository of best practices, tools and international standards. IUCN has three programme areas: (1) Valuing and conserving nature; (2) Effective and equitable governance of nature's use and (3) Deploying nature-based solutions to global challenges in climate, food and development. IUCN mandate is achieved by supporting scientific research, managing field projects all over the world, and creating a platform for governments, NGOs, the UN and companies to work together to develop policy, laws and best practice. IUCN's Eastern and Southern African Regional Office (ESARO) operate in twenty four countries in the Horn of Africa, east Africa, southern Africa and the Western Indian Ocean. The Eastern and Southern Africa Regional Programme undertakes a series of core actions with a view to realizing its overall intersessional results in relation to the IUCN vision "A just world that values and conserves nature". ESARO have 5 thematic areas which includes People and Landscapes, Conservation Areas and Species Diversity, Business and Biodiversity, Water and Wetlands and Resilient Coast.

2. Project Background

The People and Landscapes programme aims to deploy nature based solutions to regional challenges faced by communities through effective and equitable governance of rangelands and forest landscapes and ecosystems to provide multiple benefits to communities of Eastern and Southern Africa. The goal of the programme is that dryland, forest and woodland ecosystems are sustainably managed to protect biodiversity and contribute to local livelihoods and national economies. Under People and Landscapes (P&L) Programme IUCN has secured funding from (GIZ) to implement "Integrated plan to enhance socio-economic and ecological resilience of the wider Hurri Hills and Shurr landscapes, Marsabit Kenya" project. The overall objective of the project is to improve resilience through the development of potential pathways towards sustainable development of communities, conserve and rehabilitate ecosystems in the wider Hurri hills and Shurr landscapes. The project's main objective is to contribute to improving resilience in the wider Hurri Hills and Shurr landscapes through the development of pathways towards sustainable natural resource management and livelihoods development, based on enhanced conservation and management of ecosystems by the communities and authorities in the three landscapes. In particular the project will strengthen devolved planning at both community level and at all levels of the local public administration, as well as design and implementation of pilot interventions that have sufficient leverage to enhance resilience

and chances for sustainable livelihoods development. The project and is being implemented by IUCN in partnership with the County Government of Marsabit, Marsabit-based Non-Governmental Organizations and local communities.

3. The key result areas of the project are:-

- 3.1. The development of an integrated and holistic plan for sustainable ecosystems management, resilience building and sustainable livelihood in the wider Hurri Hills and Shurr landscapes
- 3.2. Implementation of strategic natural resource management interventions that promote sustainable livelihoods and enhance resilience of communities and ecosystems on a pilot basis and according to community/user group ranking of priorities in Hurri hills and Shurr
- 3.3. Demonstrate participatory approach of selecting strategic natural resource management interventions that promote livelihood and resilience of communities and ecosystems at landscape level
- 3.4. Capacity of local organizations and county government staff on participatory planning at landscape level and resilience building improved

4. Objectives and specific tasks of the consultancy

The overall objective of consultancy is develop draft Natural Resource Management/Environmental Bill at the county level that among other provisions recognize community level natural resource management including those based on traditional systems and norms.

The following are the specific tasks to be performed under this consultancy:

1. Develop the draft natural resource management bill in collaboration with relevant stakeholders including county government departments, county assembly and other institutions involvement in natural resource, environmental and planning sectors
2. Facilitate stakeholder consultation meetings to get inputs and raise awareness on content of the bill including dedicated meeting for county assembly members
3. Prepare and deliver presentation on legal options and opportunities for incorporating community level natural resource governance system into NRM bill at county level during the county assembly members meeting and ways of synergizing the bill with other existing bills and legislations. The presentation need to be shared with IUCN before the workshop dates
4. Respond to legal issues raised by county assembly members and workshops participants relating to draft natural resource management/environmental bill
5. Review of the community bylaws to check for clauses that contravene the constitution or other laws and modify appropriately

5. Deliverables

- a) Power point presentation on the legal options and opportunities for incorporating community level natural resource governance system into NRM bill including the use of the bylaws at local level
- b) Brief report outlining the legal options that exists in operationalization of the community bylaws in relation to natural resource legislation at county level and need to be drafted before the county assembly members meeting and shared with IUCN.
- c) Draft natural resource management/environmental bill to be handed over to county assembly

6. Duration of the assignment

The consultant is expected to complete the work within 20 days in the month of October and November 2016.

7. Qualification of the consultant(s)

- Masters degree in Law with bias to environmental and natural resource focus
- At least 5 years experience in drafting and review of legislations related to natural resource or environment in Kenya
- Experience in developing environmental/natural resource bill at the county or other levels in Kenya
- Experience and understanding of dryland/pastoralists livelihood and governance system in particular Northern Kenya
- Experience in conducting multi-stakeholder consultative meetings/dialogues
- Consultants should be from or based in Kenya

8. Applications

Interested persons should submit the following documents: (i) Curriculum Vitae (ii) a brief write-up on his/her interpretation of the TORs and methodology for carrying out the assignment, (iii) a work plan for the activity, and (iv) Financial proposal, to **Yasin Mahadi** at yasin.mahadi@iucn.org and **Edtih Mbigi** at edith.mbigi@iucn.org on or before **29th September 2016**